

Members

Sen. Connie Lawson, Chairperson
Sen. Connie Sipes
Rep. Sheila Klinker
Rep. Suzanne Crouch
Sally Lowery
Suda Hopkins
Betty Williams
Christopher Durcholz
Susan Ferverda
Bettye Dunham
Scott Sefton
Sharon Kooi



COMMISSION ON DEVELOPMENTAL DISABILITIES

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MEETING MINUTES¹

Meeting Date: September 29, 2009
Meeting Time: 1:30 pm P.M.
Meeting Place: State House, 200 W. Washington St., 233
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Sen. Connie Lawson, Chairperson; Sen. Connie Sipes; Rep. Sheila Klinker; Rep. Suzanne Crouch; Sally Lowery; Betty Williams; Christopher Durcholz; Scott Sefton.

Members Absent: Bettye Dunham; Susan Ferverda; Sharon Kooi; Suda Hopkins.

I. Call to Order and Comments from Chairperson Lawson.

Chairperson Lawson called the meeting to order at 1:45 PM and reported on the work performed by the Sentencing Policy Study Committee chaired by Senator Steele regarding the developmentally disabled. Chairperson Lawson asked Representative Klinker to provide additional details. Representative Klinker informed the Commission the Sentencing Policy Study Committee was looking at diversion programs for the developmentally disabled and taking steps to educate law enforcement on how to interact with the developmentally disabled.

II. Presentation from Ms. Betty Williams regarding Employment Opportunities for Individuals with Developmental Disabilities (the Alliance for Full Participation).

Ms. Williams provided the Commission with a brief presentation (Exhibit 1) explaining why employment is important for individuals with developmental disabilities. She explained that the Alliance for Full Participation is a group of 14 national organizations that serve individuals with

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developmental disabilities. During their next summit in 2011, the focus issue will be employment of the developmentally disabled.

Gainful employment helps the developmentally disabled achieve the same aspirations that other Hoosiers have. Employment helps the developmentally disabled feel like they are having a positive influence in society by paying taxes and putting money back into the state's economy.

Ms. Williams asked the Commission for a resolution that would support doubling the developmentally disabled employment rate from the current 25% to 51% within five years.

III. Answers to questions from the Commission's last meeting by Mr. Peter Bisbecos, Director, DDRS.

Mr. Bisbecos provided the third-quarter DDRS policy bulletin (Exhibit 2) and answers to questions from the Commission's last meeting. In response to Mr. Sefton's question regarding case management turnover data in certain regions of the state, Mr. Bisbecos stated this particular turnover increase was the result of one particular case management office that had a total of 22 staff members. For the months prior to the increase in turnover, no one had left the office. When two employees decided to leave, the data showed a significant increase in turnover, which was not actually the case.

Mr. Bisbecos provided information to the Commission on the number of individuals who are removed from the waiver waiting list for the developmental disability waiver, autism waiver, and the support services waiver. A total of 398 people were removed from the developmental disability waiver waiting list, 120 were removed from the autism waiver waiting list, and 1,050 individuals were removed from the support services waiver waiting list.

Regarding Chairperson Lawson's question about the oldest people on the waiting list, Mr. Bisbecos replied that his office neglected to keep accurate records when people were taken off the waiting list, declined services, or passed away while waiting for services, to focus on providing services to their clientele. He informed the Commission that his office is currently working to clean up the data set and remove errors.

Mr. Durcholz asked if the 398 individuals who were removed from the developmental disability waiver waiting list had an impact on decreasing the overall waiting list. Mr. Bisbecos did not have that information but promised to get it for the next meeting.

Representative Klinker asked if FSSA has anything in place that would verify if someone on the waiting list had been offered a support services waiver, but declined this waiver in the hopes of receiving either the developmental disability waiver or the autism waiver. Representative Klinker also asked if these individuals could possibly be duplicated on the waiting list. Mr. Bisbecos confirmed the waiting list may have people on it that are signed up for all three programs, but waiting for a specific waiver. He also said that individuals are told to apply for service waivers at birth because of the waiting time to receive benefits, even if the services are not needed at that time. Additionally, Mr. Bisbecos noted that federal regulations require duplicate application for services.

Mr. Durcholz asked if people are removed from the waiting list when they receive one of the service waivers. Mr. Bisbecos responded by saying individuals are removed from the waiting list only when they receive the developmental disability waiver. If they receive any other waiver, they are not removed from the waiting list.

Mr. Sefton asked if there was a service difference between the support service waiver and the developmental disability waiver. Mr. Bisbecos informed the Commission that the support

services waiver only have a benefit of \$3,500 a year, whereas the developmental disability waiver has a much higher benefit. He added the autism and developmental disability waivers provide similar services, and FSSA informs consumers it is in their best interest to take either one when offered these services rather than not receive any services for their needs.

Chairperson Lawson asked why certain waivers had higher average spending per consumer than other waivers. Mr. Bisbecos responded that the autism and developmental disability waivers had higher average spending per consumer because of the difference between the consumers. Autism waiver recipients normally live with their parents and do not require residential services, whereas the developmental disability waiver recipients require additional funding for residential services. This explains the nearly \$30,000 average spending per person difference between the autism and developmental disability service waivers. Additionally, Mr. Bisbecos added there is no cap on autism and developmental disability waivers, which explains why the benefit amount is greater than the support services waiver. The caps placed on the support services waiver come from federal regulations.

IV. Mr. Jim Hammond, CEO, INARF, and Mr. John Dickerson, Executive Director, The Arc of Indiana, on the Drafted Resolution and Accreditation of Day Service Providers.

Mr. Hammond informed the Commission that the drafted resolution (Exhibit 3) is to encourage FSSA to search for funding for the Direct Service Providers Initiative program (INTrain). He stated INTrain has been discontinued due to funding problems.

Mr. Dickerson informed the Commission that research shows staff continuity is necessary for the success of the developmentally disabled. The resolution would encourage FSSA to continue developing the INTrain program and to support efforts to obtain funding for the program. One of the key elements of the INTrain program is to provide regular training to service staff. Currently, Ivy Tech is working to solidify teaching curriculum that would greatly improve the training service staff receives and improve consumer care. Ivy Tech and other institutions are also starting to test online education, which can improve access to education in remote parts of the state. Increasing training and incentives will help to decrease support staff turnover in the state.

Representative Klinker asked what incentives are available to increase support staff participation in education training. Mr. Dickerson and Mr. Hammond responded that for every semester of education/training a service professional completes, there is a wage increase. Previously, the General Assembly had written into a previous state budget 50 cent raises for professionals to increase the supply of service professionals.

Senator Sipes stated that she agreed with the resolution but remains concerned over the continuum of care for the developmentally disabled. She expressed that sometimes services do not follow consumers when they transition to community-based care (specifically citing the closing of Silvercrest) and as a result, these services sometimes do not meet the consumers' needs. Senator Sipes emphasized that she wanted to make sure that all consumers receive appropriate care. Mr. Bisbecos responded to Senator Sipes' statement by assuring her that the closing of state institutions has helped to increase program funding for the developmentally disabled through cost savings. He admitted that the transition is not always perfect and that problems may result, but that crisis intervention is helping in the instances Senator Sipes brought up. Mr. Bisbecos believes that despite some shortcomings with the system, the repertoire of supports has increased dramatically to aid the developmentally disabled, but there is still more to be done.

Mr. Durcholz addressed Mr. Hammond and Mr. Dickerson by recalling that 10 years ago the General Assembly visited the issue of direct support service staff and recognized the workforce felt these were dead-end jobs. This led the General Assembly to include pay increases in the

budget during one legislative session. Mr. Hammond pointed out that since that time, INARF has had success in increasing the direct support staff from 100 providers to 400. Mr. Hammond explained this increase as being due to the emphasis on making the job more of a career and providing the right incentives.

Mr. Sefton added that through the direct support service provider program at Ivy Tech, participants can increase their income with education. He also added that the resolution needs more “teeth” to show that the state will make a concerted effort to obtain funding for the INTrain program. Mr. Hammond responded that because this is not a budget session the General Assembly and the Commission could make an incremental step to securing funding for the INTrain program. In subsequent years, funding could be earmarked for direct support service providers’ raises, but the current emphasis is to complete Phase I of the INTrain project.

Representative Crouch asked for DDRS’s response to the resolution and what efforts have been made to train direct support service providers. Mr. Bisbecos stated that DDRS supported the resolution, but because of the economic climate the resolution is really more of a “feel good” resolution as it does not guarantee INTrain funding. Mr. Sefton asked if federal or state money needed to increase in order to provide funding for the INTrain program, and Mr. Bisbecos replied that the source of the funding was immaterial.

Representative Crouch asked if INTrain was currently funded. Mr. Bisbecos responded that INTrain was formerly funded, but because of the economic climate funding was discontinued. Senator Sipes wanted Mr. Bisbecos to clarify if DDRS supported the resolution that had been proposed, to which Mr. Bisbecos replied that DDRS supports the intent of the resolution. Mr. Sefton commented that direct service provider professionals are doing a fantastic job and that this resolution was important to show them the state is working hard to obtain better pay and incentives for them.

Ms. Lowery asked about how the reimbursement amounts trickle down to the actual service providers. Mr. Bisbecos informed the Commission that pay varies between service provider agencies. DDRS sets a rate based on the cost of services, and then provider agencies made determinations on how to pay service providers based on the market wage rate and supply of service providers in an area. Group homes have differing reimbursement rates which are based on costs incurred by the group home as determined by auditing their accounting systems. The cost of labor is based on the individual needs of the consumer. Waivers, however, focus on the needs of the consumer, whereas group homes group people together and then use a funding formula for reimbursement of services.

V. Mr. Jim Hammond, CEO, INARF, and Mr. John Dickerson, Executive Director, The Arc of Indiana, on Accreditation of Day Service Providers.

Mr. Hammond informed the Commission that INARF believes the citation in Indiana Code that creates developmental disability centers in the state should be amended to require day service provider centers to be accredited.

Mr. Dickerson added that FSSA has a rigorous process for authorizing a new day service provider program in the state, but that these checks do not continue past the initial authorization. Mr. Dickerson told the Commission he would assume that since the state is paying for these services, there should be ongoing quality audits to ensure the state receives the best care for the money it is spending.

Chairperson Lawson asked if INARF and the Arc of Indiana were proposing that individual service providers receive accreditation, as well. Also, she wanted to know if there were enough provider entities in the state that would require accreditation of services. Mr. Hammond

informed the Commission there were enough entities in the state for accreditation and that there are enough national accrediting entities available for these state entities to choose from. Mr. Hammond suggested a rolling deadline for accreditation to ease the burden on the accrediting agencies and the service providers, as well.

Chairperson Lawson also asked how many accreditation organizations there are nationally. Mr. Hammond responded there are numerous national accreditation organizations and suggested that FSSA could even establish recommended accreditation organizations.

Ms. Lowery asked if there were any day service agencies in the state that are not accredited. Mr. Hammond responded that, currently, if you are a waiver service provider it is not clear if you have to be accredited. Not all centers that receive state funding are accredited, and the number of centers that are not accredited is difficult to obtain.

Representative Crouch asked why centers might be motivated to obtain accreditation. Mr. Hammond responded that the motivation for accreditation is to ensure that those centers that are first authorized to provide services to consumers keep the same standards and practices that resulted in their initial authorization. Representative Crouch further enquired how Indiana compared to other states regarding required accreditation of day service providers. Mr. Bisbecos responded that FSSA has not done a comparative analysis of other states' accreditation requirements.

Representative Klinker asked if INARF and the Arc of Indiana have let vendors and providers know about the push for accreditation standards. Mr. Hammond responded that of the organizations they have talked to, these organizations are in favor of accreditation. They favor accreditation since they have rigorous internal control systems of self-assessment which are probably more stringent than accreditation standards. Representative Klinker asked how much accreditation would cost the providers, and Mr. Hammond responded that the cost would be between \$10,000 and \$30,000, depending on how many sites a provider may operate in the state. The main change, he stated, would be requiring providers to produce their self-assessment results by affidavit to accreditation boards for verification. Representative Klinker stated that although accreditation may help to assure the best services for the consumer, those providers who oppose accreditation will argue that accreditation takes services away from the consumer. Mr. Hammond justified the costs since the quality outcomes would provide better overall services for the consumers.

Senator Lawson asked if accreditation would be necessary for individual service providers. Mr. Hammond responded there are currently individual providers who are accredited, but these providers specialize in therapy. Chairperson Lawson also asked if there are any potential road blocks to receiving accreditation. Mr. Hammond informed the Commission the main road blocks would be the time to complete accreditation and the money necessary to pay for accreditation.

Ms. Williams explained to the Commission the importance of service providers in the daily lives of individuals with developmental disabilities.

VI. Closing.

Chairperson Lawson closed the meeting by thanking all those that were present and all those that gave testimony before the Commission, and announcing that the next meeting would be October 20th at 10:30 A.M. in Room 233 of the Statehouse. The meeting was adjourned at 3:25 P.M.

